

**REMARKS**

Claims 1-43 were previously pending in this application. By this amendment, Applicant is canceling claims 2, 14 and 17 without prejudice or disclaimer. Claims 1, 3, 16 and 18 have been amended. As a result claims 1, 3-13, 15-16, and 18-43 are pending for examination with claims 1, 10, 13, 15, 16 and 21 being independent claims. No new matter has been added.

**Rejections Under 35 U.S.C. §102**

The Office Action rejected claims 1, 4, 8-9, 13, 15-16, 19-20 and 43 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,941,271 (Soong).

The Office Action has indicated that dependent claims 2 and 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Without prejudice or disclaimer as to the patentability of independent claims 1 and 16, dependent claim 2 has been incorporated into independent claim 1 and dependent claim 17 has been incorporated into independent claim 16. Independent claims 1 and 16 as amended are now in condition for allowance. Accordingly, the above-recited rejection of independent claims 1 and 16 is now moot and withdrawal of this rejection is respectfully requested.

With respect to dependent claims 3-8 and 18-20, each of these dependent claims depend from one of independent claims 1 and 16 and accordingly are in condition for allowance for at least the same reasons as independent claims 1 and 16. Accordingly, withdrawal of this rejection with respect to these dependent claims is also respectfully requested.

With respect to independent claims 13 and 15, the Office Action does not specifically address each of the limitations of these claims, but instead relies on the same rejection of the elements of independent claims 1 and 16.

Independent claim 13 recites, inter alia, a secure registry system including a mechanism by which an organization desiring access to data in said database may gain such access, each said organization having a processor which generates data requests, each such data request including a form in which such data is to be provided; and a response mechanism which collects data required by said form for a given request, formats the collected data in said form, and sends the formatted data to the organization generating the request.

Soong discloses a method for accessing patient records stored in a database, wherein the information is handled as records, and access rules as determined by the patient are stored in a computer. Upon access to the site computer 110, the site computer 110 provides a login

ID web page 300 to the device 103 running a web browser application as shown in FIG. 3. The login ID web page 300 is a security measure to allow only authorized persons to access the site computer 110. The site computer 110 checks the name and login ID of the individual against the database 112 to ensure that the individual is allowed to have access to the database. The database 112 includes the names and login IDs of all persons who are entitled to create or access health records of the site computer 110. Furthermore, using the patient identity information provided by the individual, the site computer 110 checks to see that, even if the individual is permitted to enter the site computer 110 and access the database 112, the individual is entitled to create or access the health records of the particular patient identified.

When the professional selects to create a record, the site computer 110 returns a record page 500 which prompts the professional to enter appropriate information about the condition of the patient as well as other kinds of information as shown in FIG. 5. A patient identity field 502, ID number field 504, date of visit field 506, treatment field 508, condition field 510, observations field 512, cost field 514, professional preparer field 516, and access code number field 518 prompt the professional to enter information. The preparer can enter this prompted information using any input method associated with the device 103.

To ensure the privacy of the patient and limited access to the records of the patient, persons seeking records are allowed only to access and organize the selective portions of a patient's records, as shown in flow logic 700 of FIG. 7. At step 704, the site computer 110 considers the provided login ID and name of the person seeking records access. The logic proceeds to a step 706 where the identity of the person is compared against one or more authorization databases. Each authorization database is programmable and lists names of persons entitled to access portions or entireties of the patient's records and also identifies which portions of the records are accessible by the person. The logic proceeds to a decision step 708 where the logic determines if the person is identified in an authorization database. If the result of decision step 708 is affirmative, the logic 700 proceeds to decision step 710 where the logic determines if the authorization database requires the person to have limited access to the records of the patient. If the result of decision step 710 is affirmative, the logic proceeds to a step 712 where the person is restricted in accordance with the authorization database to only portions of the patient's records. Other portions of the records are not accessible by that person. The logic proceeds to a step 714 where the logic ends. If the result of the decision step 710 is negative, the logic proceeds to a step 715 where the person has unrestricted access to the records and the logic proceeds to step 716 where the logic ends. If the result of decision

step 708 is negative, the person is not authorized to have any access to records, and the logic proceeds to a step 718 where the logic prevents the person from accessing the records.

However, in contrast to the assertions of the Office Action, Soong is completely silent as to whether the requesting party can have a particular form that is to be populated with the data, such as a health form, that lists certain information to be provided, and that the methodology of Soong can gather the information that is solicited by the form. Soong does not teach, disclose or suggest a mechanism by which an organization desiring access to data in the database of the secure registry system comprises a processor which generates data requests, including a form in which such data is to be provided, and a response mechanism which, in response to such form, formats the collected data in that form and sends the formatted data in that form. Applicant has disclosed and recited that the form is, for example, a particular form which solicits particular data, such as a tax form, or a job application form, and the like. Applicant has also disclosed and claimed in other claims, that the data can be provided in various formats such as an e-mail or fax format. Accordingly, Applicant distinguishes between forms and formats. This rejection of claim 13 is improper and not adequately addressed by the Office Action. Accordingly, independent claim 13 is not anticipated by Soong and withdrawal of this rejection is respectfully requested.

Independent claim 15 patentably distinguishes over the Soong reference for the same reasons as discussed above with respect to independent claim 13. In particular, Soong does not teach, disclose or suggest machine readable code which facilitates communication between a remote machine and a secure registry system, which is “configured to use the form in which the data is requested to select the data to be accessed, and to control the format in which the accessed data is to be provided to a remote machine.” As has been discussed above with respect to independent claim 13, Soong is completely silent as to accessing data based upon a form to be completed or even providing the data in the format requested. Accordingly, independent claim 15 is not anticipated by Soong and withdrawal of this rejection is respectfully requested.

Dependent claim 43 depends from independent claim 15 and accordingly is in condition for allowance for at least the same reasons as independent claim 15. Accordingly, withdrawal of this rejection with respect to these dependent claims is also respectfully requested.

Claims 10-12, 14 and 21-23 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,546,005 to Berkley et al. (hereinafter Berkley).

Independent claims 10 and 21 recite a database from which a provider of services can obtain a public code of an entity seeking services. In particular, the system and method of Applicant's invention as claimed in independent claims 10 and 21 is directed to a database where a service provider can go to obtain a public code identifying the participant to who the services are to be provided, which public code can be used to map to data required by the service provider in order to provide the services to the participant.

With respect to independent claim 10, it recites, *inter alia*, a secure registry system that comprises a database from which a public code for each entity using the secure registry system may be obtained, and a processor at a provider of services that includes a mechanism for mapping the received public code to data required by the provider of services, and using the mapped data to perform the services.

Berkley et al. discloses an Active User Registry (AUR) that includes a database which contains a data structure of the ways in which one or more users can be reached via some type of communication network (e.g., POTS network or a packet network). The AUR has a feature that allows for brokering between a subscriber's request for communications contact information corresponding to a user and the user's preference of being reached by various communications alternatives. For a typical user, the entries in the AUR database 174 might include the following:

Username; UserAlias1; UserAlias2:...; HomePhone1; HomePhone2; WorkPhone;  
WorkSecretary; Cellular-Phone1; VideoPhone;...; WorkVoiceMessages;  
HomeAnsweringMachine; VideoMailMessages; BeeperNumber1;...; Email1; Email2;...;  
WorkFAX1; WorkFAX2; HomeFAX;...; LAN IP; ModemIP;...; URL1; URL2;...;  
Multimedia1; Multimedia2;...; ReachNumber.

The AUR database consists of a series of user records, each user record containing one or more of the entries listed above. One possible arrangement of the AUR database is shown in FIG. 2. With references to FIG. 2, the AUR database as depicted consists of N user records, record 201 corresponding to user 1, record 202 corresponding to user 2, record 203 corresponding to user 3, and so forth. Each user record in the AUR database contains entries for the above-listed user communications contact information. Thus, as shown in the example of

FIG. 2, record 201 corresponding to user 1 consists of a set of entries 210, 220, 230, 240, 250, 260, 270, 280 and 290, each corresponding to a different category with each entry potentially consisting of one or more information data elements.

The brokering process utilized by the AUR system is described with reference to FIGS. 3A, 3B and 3C. In the example shown in FIG. 3A, a non-family member subscriber attempting to contact the user at work prefers to leave a facsimile message for the user, as opposed to voice mail or other electronic message. The subscriber in this example initiates at step 301 a contact to the AUR system using multimedia PC 160 (shown in FIG. 1) by, e.g., using a modem to connect or to dial in to a site corresponding to AUR system 170 (shown in FIG. 1) or, alternatively, by sending a message to an IP address corresponding to the AUR system. The AUR system responds by presenting an access menu to the subscriber. Using a text-based search tool, the subscriber at step 302 enters a user identifier, such as information corresponding to the identity of the user (e.g., the user's name) and initiates, through the AUR system, a search of the AUR database for the user of interest to the subscriber. The subscriber at step 303 requests the AUR system to provide a communications number for sending a facsimile message for the user (this could be done, e.g., by typing the information in or by speaking into a microphone contained within the PC). The AUR system at step 304 compares the subscriber's request (facsimile message) against the user's preferred options (e-mail, voice mail or fax from a non-family member during the afternoon). The AUR system selects facsimile messaging (in this example, facsimile messaging is common to both user and subscriber preferences) and provides, at step 305, a facsimile address for the user (e.g., WorkFax1) to the subscriber. The subscriber then at step 306 initiates a communications contact with the user at the WorkFax1 address. Alternatively, the AUR system could ask the subscriber for a message or a filename of a document to be faxed and send it electronically to the user without the need to ever pass along the user's fax number to the subscriber.

Similarly, in the example shown in FIG. 3B, the non-family member subscriber at step 311 initiates a contact to the AUR system using telephone 150 (shown in FIG. 1) by, for example, dialing a telephone number corresponding to AUR system 170 (such as, e.g., dialing 1-800-CALLATT and requesting the AUR system or alternatively, requesting the AUR cache). At step 312, the subscriber then enters a user identifier, such as username, by, e.g., speaking the name or pushing buttons on the telephone keypad corresponding to the letters of the user's name which initiates, through the AUR system, a search in the AUR database. By speech or by keypad, the subscriber enters a request for contacting the user by leaving a voice message at step 313. The AUR system at step 314 compares the subscriber's request (voice

messaging) against the user's preferred options (e-mail, voice mail or fax from a non-family member during the afternoon) and, at step 315, returns the user's voice mail address (WorkVoiceMessages) to the subscriber (e.g., by speaking over the telephone the address obtained from the AUR database). Then at step 316 the subscriber initiates a communications contact using the appropriate communications number or address obtained from the AUR database, in this example, by dialing the telephone number corresponding to the user's voice mail (WorkVoiceMessages). Alternatively, the AUR system could ask the subscriber to record a voice message and then send it automatically to the user's WorkVoiceMessages address without the need to ever pass along the user's voice mail number to the subscriber.

However, Berkley does not teach, disclose or suggest a database from which a provider of services can obtain a public code of an entity seeking such services. In contrast, Berkley merely teaches that a subscriber looking to contact a user of the AUR system contacts the AUR system of Berkley and enters a user identifier, such as the user's name, and initiates a search of the database for entries in the AUR database corresponding to the user, such as the fax number or a number to leave a voice mail for the user. In other words, Berkley discloses that the requesting or subscribing party knows the identifier information of the party for which it seeks information. Berkley makes no provision for the public code of the user for which the requesting party is seeking to provide services to not being known by the requesting party.

In addition, Berkley does not teach, disclose or suggest a processor at a provider of services that includes a mechanism for mapping the received public code from such database to data required by the provider of services in order to provide such services, and using such mapped data to perform the services. In contrast, as has been discussed above, Berkley discloses that in response to a subscribing party providing identification information for a user (e.g. the user's name), the system provides contact information about the user to the subscriber. However, such contact information is not information that is determined from a public code in a database by a processor at the service provider, and such information need not be information required by the provider in order to provide the services by the service providers. In contrast, such information is typically contact information, for example, the fax number or a number to leave a voice mail for the user. This information is not information that is needed to or required to provide a service by the service provider.

With respect to independent claim 21, independent claim 21 recites a database from which the public code for each entity may be obtained, and a processor receiving the public code and mapping the public code into data required by the provider of services in order to provide the services. Accordingly, independent claim 21 patentably distinguishes over Berkley et al. for at least the same reasons as discussed above with respect to independent claim 10, and withdrawal of this rejection is respectfully requested.

With respect to dependent claims 11 and 22 and 12 and 23, which depend from independent claims 10 and 21, respectively, each of these claims patentably distinguishes over Berkley for at least the same reasons as the independent claims 10 and 21, and therefore withdrawal of this rejection with respect to these claims is respectfully requested.

With respect to independent claim 14, without prejudice or disclaimer as to the patentability of independent claim 14, independent claim 14 has been deleted. Accordingly, the above-recited rejection of independent claims 14 is now moot and withdrawal of this rejection is respectfully requested.

#### Rejections Under 35 U.S.C. §103

The Office Action rejected claims 24-42 under 35 U.S.C. §103(a) as being unpatentable over Berkley et al. (US 6,546,005) in view of U.S. Patent No. 5,915,023 (Bernstein).

Without acceding to the appropriateness of the combination of Berkley et al. and Bernstein, Applicant specifically reserves the right to do so, the Applicant need not address the merits of each of the dependent claims 24-42 in view of this asserted combination of references. In view Applicant's discussion above that each of the independent claims 10 and 21 patently distinguishes over the Berkley reference, and in view of that the Bernstein reference does not cure the infirmities of the Berkley reference as to these independent claims, the asserted combination of references does not anticipate or render obvious the independent claims 10 and 21. Therefore the asserted combination cannot anticipate or render obvious any of the dependent claims 24-42. Accordingly, withdrawal of this rejection is respectfully requested.

Allowable Subject Matter

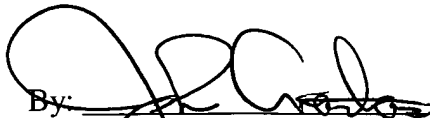
Claims 2, 3, 5-7, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended independent claims 1 and 16 to incorporate dependent claims 2 and 17. Claims 3, 5-7, and 18 depend either directly or indirectly from amended claims 1 and 16. Accordingly each of claims 3, 5-7, and 18 is now in condition for allowance and a notice of allowance is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,  
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